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13 Attorneys for Plaintiff JENS ERIK SORENSEN,
14 as Trustee of SORENSEN RESEARCH AND
15 DEVELOPMENT TRUST

16 UNITED STATES DISTRICT COURT
17 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

18 JENS ERIK SORENSEN, as Trustee of) Case No. 08cv233 BTM CAB
19 SORENSEN RESEARCH AND)
20 DEVELOPMENT TRUST,) **THIRD AMENDED NOTICE OF**
21) **RELATED CASES**
22)
23 Plaintiff)
24 v.)
25)
26 GLOBAL MACHINERY COMPANY,)
27 an Australian company; GMCA PTY.)
28 LTD., an Australian company;)
TRAPONE CORPORATION PTY.)
LTD., an Australian company; and DOES)
1 – 100,)
Defendants.)

Pursuant to Local Civil Rule 40.1(e), Plaintiff JENS E. SORENSEN, as TRUSTEE OF THE SORENSEN RESEARCH AND DEVELOPMENT TRUST (“SRDT”), hereby gives THIRD AMENDED notice of cases related to the present case. Specifically, SRD TRUST gives notice of the following related cases that all arise from alleged infringement of United States Patent Number 4,935,184 (“the ‘184 patent”), whether pending, dismissed, or otherwise terminated:

JUDGMENT ENTERED

Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. First International Digital, Inc., et al, Case No. 3:07-cv-5525-JSW, filed October 30, 2007 in the United States District Court for the Northern District of California. Judgment of \$500,000.00 has been entered.

PENDING – NOT STAYED

Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. Conair Corporation, Case No. 08cv1256, filed July 11, 2008 in the United States District Court for the District of Southern California. Plaintiff alleges infringement of the ‘184 patent by Defendants. Assignment to the same district judge as other ‘184 patent cases in the district has already occurred.

Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. Phillips Plastics Corp., Case No. C08-03094, filed June 26, 2008 in the United States District Court for the District of Northern California. Plaintiff alleges infringement of the ‘184 patent by Defendants. A motion to transfer this case is pending. A request to relate this case to others in the Northern District was denied.

Jens Erik Sorensen as Trustee of the Sorensen Research and Development Trust v. Human Touch LLC, et al, Case No. 08cv1080, filed June 18, 2008 in the United States District Court for the District of Southern California. Plaintiff alleges infringement of the ‘184 patent by Defendants. Assignment to the same district

1 judge as other '184 patent cases in the district has already occurred.

2 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
3 *Trust v. Lexar Media, Inc.*, Case No. 5:08-cv-00095-JW, filed January 7, 2008 in the
4 United States District Court for the District of Northern California. Plaintiff alleges
5 infringement of the '184 patent by Defendants. A requested stay has already been
6 denied and this case is proceeding towards trial.

7 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
8 *Trust v. Johnson Level & Tool Mfg. Co., Inc.*, Case No. 3:08-cv-0025-BTM-CAB,
9 filed January 4, 2008 in the United States District Court for the District of Southern
10 California. Plaintiff alleges infringement of the '184 patent by Defendants.
11 Assignment to the same district judge as other '184 patent cases in the district has
12 already occurred.

13 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
14 *Trust v. Ampro Tools Corporation*, Case No. 4:08-cv-00096-CW, filed January 7,
15 2008 in the United States District Court for the District of Northern California.
16 Plaintiff alleges infringement of the '184 patent by Defendants. A default judgment
17 motion is pending.

18 *PowerStation LLC, et al v. Sorensen Research and Development Trust*, Case
19 No. 07-cv-04167-RBH, filed December 31, 2007 in the United States District Court
20 for the District of South Carolina. Plaintiff seeks declaratory judgment that the '184
21 patent is invalid and not infringed by them, and also makes an unfair trade practices
22 claim. A Rule 12 motion for transfer for lack of personal jurisdiction is under
23 submission.

24 *Big Lots Stores, Inc. v. Sorensen Research and Development Trust*, Case. No.
25 08cv00506, filed May 23, 2008 in the United States District Court for the Southern
26 District of Ohio. Plaintiff seeks declaratory judgment that the '184 patent is invalid
27 and not infringed by them. No summons or complaint have been served, and this
28 case will be the subject of a Rule 12 motion for transfer for lack of personal

1 jurisdiction.

2 *Freshlink Product Development, L.L.C. v. Sorensen Research & Development*
3 *Trust*, Case. No. 08cv05021, filed May 30, 2008 in the USDC for the Southern
4 District of New York. No summons or complaint have been served, and this case
5 will be the subject of a Rule 12 motion for transfer for lack of personal jurisdiction.

6 *American Safety Razor Co. v. Sorensen Research & Development Trust*, Civil
7 Case No. 07-CV-00730-HHK, filed April 20, 2007, in the United States District
8 Court for the District of Columbia. No summons or complaint have been served, and
9 this case will be the subject of a Rule 12 motion for transfer for lack of personal
10 jurisdiction.

11 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
12 *Trust v. DMS Holdings, Inc., et al.*, Case No. 08cv559, filed March 25, 2008 in the
13 United States District Court for the District of Southern California. Plaintiff alleges
14 infringement of the '184 patent by Defendants. Assignment to the same district
15 judge as other '184 patent cases in the district has already occurred.

16 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
17 *Trust v. Alltrade Tools, LLC., et al.*, Case No. 08cv232, filed February 5, 2008 in the
18 United States District Court for the District of Southern California. Plaintiff alleges
19 infringement of the '184 patent by Defendants. Assignment to the same district
20 judge as other '184 patent cases in the district has already occurred.

21
22 **PENDING - STAYED**

23 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
24 *Trust v. Metabo Corporation, et al.*, Case No. 08cv304, filed February 15, 2008 in
25 the United States District Court for the District of Southern California. Plaintiff
26 alleges infringement of the '184 patent by Defendants. Assignment to the same
27 district judge as other '184 patent cases in the district has already occurred.

28 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1 *Trust v. Star Asia, U.S.A., LLC, et al.*, Case No. 08cv307, filed February 15, 2008 in
2 the United States District Court for the District of Southern California. Plaintiff
3 alleges infringement of the '184 patent by Defendants. Assignment to the same
4 district judge as other '184 patent cases in the district has already occurred.

5 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
6 *Trust v. Kyocera International, Inc., et al.*, Case No. 08cv411, filed March 4, 2008 in
7 the United States District Court for the District of Southern California. Plaintiff
8 alleges infringement of the '184 patent by Defendants. Assignment to the same
9 district judge as other '184 patent cases in the district has already occurred.

10 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
11 *Trust v. Central Purchasing, LLC, et al.*, Case No. 08cv309, filed February 15, 2008
12 in the United States District Court for the District of Southern California. Plaintiff
13 alleges infringement of the '184 patent by Defendants. Assignment to the same
14 district judge as other '184 patent cases in the district has already occurred.

15 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
16 *Trust v. Logitech, Inc., et al.*, Case No. 08cv308, filed February 15, 2008 in the
17 United States District Court for the District of Southern California. Plaintiff alleges
18 infringement of the '184 patent by Defendants. Assignment to the same district
19 judge as other '184 patent cases in the district has already occurred.

20 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
21 *Trust v. Rally Manufacturing, Inc., et al.*, Case No. 08cv302, filed February 15, 2008
22 in the United States District Court for the District of Southern California. Plaintiff
23 alleges infringement of the '184 patent by Defendants. Assignment to the same
24 district judge as other '184 patent cases in the district has already occurred.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
26 *Trust v. Sunbeam Products, Inc., et al.*, Case No. 08cv306, filed February 15, 2008 in
27 the United States District Court for the District of Southern California. Plaintiff
28 alleges infringement of the '184 patent by Defendants. Assignment to the same

1 district judge as other '184 patent cases in the district has already occurred.

2 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
3 *Trust v. CTT Tools, Inc., et al.*, Case No. 08cv231, filed February 5, 2008 in the
4 United States District Court for the District of Southern California. Plaintiff alleges
5 infringement of the '184 patent by Defendants. Assignment to the same district
6 judge as other '184 patent cases in the district has already occurred.

7 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
8 *Trust v. Global Machinery Company, et al.*, Case No. 08cv233, filed February 5,
9 2008 in the United States District Court for the District of Southern California.
10 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the
11 same district judge as other '184 patent cases in the district has already occurred.

12 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
13 *Trust v. Emissive Energy Corp., et al.*, Case No. 08cv234, filed February 5, 2008 in
14 the United States District Court for the District of Southern California. Plaintiff
15 alleges infringement of the '184 patent by Defendants. Assignment to the same
16 district judge as other '184 patent cases in the district has already occurred.

17 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
18 *Trust v. Motorola, Inc., et al.*, Case No. 3:08-cv-0136 LAB RBB, filed January 23,
19 2008 in the United States District Court for the District of Southern California.
20 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the
21 same district judge as other '184 patent cases in the district has already occurred.

22 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
23 *Trust v. Sanyo North America Corporation, et al.*, Case No. 3:08-cv-0135 DMS
24 POR, filed January 23, 2008 in the United States District Court for the District of
25 Southern California. Plaintiff alleges infringement of the '184 patent by Defendants.
26 Assignment to the same district judge as other '184 patent cases in the district has
27 already occurred.

28 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1 *Trust v. Informatics, inc., et al.*, Case No. 3:08-cv-0134-L NLS, filed January 23,
2 2008 in the United States District Court for the District of Southern California.
3 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the
4 same district judge as other '184 patent cases in the district has already occurred.

5 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
6 *Trust v. Ryobi Technologies, Inc., et al.*, Case No. 3:08-cv-0070-BTM-CAB, filed
7 January 11, 2008 in the United States District Court for the District of Southern
8 California. Plaintiff alleges infringement of the '184 patent by Defendants.
9 Assignment to the same district judge as other '184 patent cases in the district has
10 already occurred.

11 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
12 *Trust v. Senco Products, Inc.*, Case No. 3:08-cv-0071-BTM-CAB, filed January 11,
13 2008 in the United States District Court for the District of Southern California.
14 Plaintiff alleges infringement of the '184 patent by Defendants. Assignment to the
15 same district judge as other '184 patent cases in the district has already occurred.

16 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
17 *Trust v. Emerson Electric Co., et al*, Case No. 3:08-cv-0060-BTM-CAB, filed
18 January 10, 2008 in the United States District Court for the District of Southern
19 California. Plaintiff alleges infringement of the '184 patent by Defendants.
20 Assignment to the same district judge as other '184 patent cases in the district has
21 already occurred.

22 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
23 *Trust v. Energizer Holdings, Inc., et al*, Case No. 3:07-CV-2321-BTM-CAB, filed
24 December 11, 2007 in the United States District Court for the Southern District of
25 California. Plaintiff alleges infringement of the '184 patent by Defendants.
26 Assignment to the same district judge as other '184 patent cases in the district has
27 already occurred.

28 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1 *Trust v. Giant International, Inc., et al*, Case No. 3:07-CV-2121-BTM-CAB, filed
2 November 6, 2007 in the United States District Court for the Southern District of
3 California. Plaintiff alleges infringement of the '184 patent by Defendants.
4 Assignment to the same district judge as other '184 patent cases in the district has
5 already occurred.

6 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*
7 *Esseplast (USA) NC, Inc., et al*, Case No. 3:07-cv-2277-BTM-CAB, filed December
8 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent by
9 Defendants. Assignment to the same district judge as other '184 patent cases in the
10 district has already occurred.

11 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*
12 *Helen of Troy Texas Corporation, et al*, Case No. 3:07-cv-2278-BTM-CAB, filed
13 December 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent
14 by Defendants. Assignment to the same district judge as other '184 patent cases in
15 the district has already occurred.

16 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
17 *Trust v. Digital Networks North America, Inc., et al*, Case No. 3:07-5568-JSW, filed
18 November 1, 2007 in the United States District Court for the Northern District of
19 California. Plaintiff alleges infringement of the '184 patent by Defendants. The
20 Northern District has already reviewed whether this case was related to other '184
21 patent cases in the Northern District and found it was not.

22 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*
23 *Trust v. The Black & Decker Corporation, et al*, Civil Case No.: 3:06-CV-1572-
24 BTM-CAB, filed August 7, 2006, in the United States District Court for the Southern
25 District of California. Plaintiff alleges infringement of the '184 patent by
26 Defendants. Assignment to the same district judge as other '184 patent cases in the
27 district has already occurred.

SETTLED AND DISMISSED

Jens Erik Sorensen as Trustee of the Sorensen Research And Development Trust v. Tecnica USA, Inc and Nordica USA, Inc., Civil Case No. 06CV1941 BMLS, filed September 18, 2006 in the Southern District of California. The action was settled by the parties, and dismissed.

Jens Erik Sorensen As Trustee of The Sorensen Research And Development Trust v. Head USA Inc. Civil Case No.: 06CV1434BTN CAB, filed July 2006 in the Federal District for the Southern District of California. The action was settled by the parties, and dismissed.

Head USA Inc. v. Jens Erik Sorensen (As Trustee of The Sorensen Research And Development Trust), and Sorensen Research And Development Trust. Docket No.: 306CV00983, filed June 2006 in the Federal District of Connecticut. The matter was transferred and consolidated with the *Sorensen Research And Development Trust v. Head USA Inc.* action filed in the Southern District of California, Civil Case No.: 06CV1434BTM CAB. The action was later settled by the parties, and dismissed.

Nordica USA Corp. v. Jens Ole Sorensen, Jens Erik Sorensen, and Sorensen Research and Development Trust. Docket No. 1:06-cv-91-JM filed March 8, 2006 in the Federal District of New Hampshire. The matter was transferred and consolidated with *Jens Erik Sorensen As Trustee of The Sorensen Research And Development Trust v. Tecnica USA, Inc and Nordica USA, Inc.*, Civil Case No. 06CV1941 BMLS, filed in the Southern District of California. The action was later settled by the parties.

Jens Ole Sorensen, and Jens E. Sorensen, as Trustee Of The Sorensen Research and Development Trust v. DaimlerChrysler AG, and Mercedes-Benz USA, LLC. Civil No. 03-1763 (HAA) filed in the United States District Court for Northern California and transferred to the United States District Court for New Jersey. This matter has been settled and dismissed.

1 *In the Matter of Certain Automobile Tail Light Lenses And Products*
2 *Incorporating Same.* Investigation No. 337-TA-502 filed in the United States
3 International Trade Commission. The matter was remanded after appeal to the
4 Federal Circuit Court of Appeals, then settled and dismissed.

5 *Jens E. Sorensen, as Trustee Of The Sorensen Research and Development*
6 *Trust v. Premier Automotive Group, Ford Motor Company, and Jaguar, Ltd.* Case
7 No. 03-cv-01107, filed March 14, 2003 in the Federal Court for the Northern District
8 of California. The matter was settled and dismissed.

9 *Sorensen et al v. International Trade Commission et al.*, 427 F.3d 1375 (Fed.
10 Cir. 2005). After the Federal Circuit ruled in patentee's favor, the parties settled and
11 dismissed.

12
13 **DISMISSED**

14 *DMS Holdings, Inc. v. Sorensen Research & Development Trust.* Civil Case
15 No.: 07-CV-02690, filed May 11, 2007, in the United States District Court for the
16 Northern District of Illinois. This case has been dismissed. Sorensen filed against
17 DMS Holdings in the United States District Court for Southern California (see
18 above).

19 *Lowe's Companies, Inc., et al v. Sorensen Research and Development Trust.*
20 Case No. 05-cv-00234 filed July 29, 2005 in the Federal Court for the Western
21 District of North Carolina. The matter was never served and was dismissed.

22 *Digital Innovations LLC v. Sorensen Research and Development Trust.* Case
23 No. 05-cv-06428, filed November 9, 2005 in the Federal Court for the Northern
24 District of Illinois. The matter was never served and was dismissed.

25 *Big Lots v. Sorensen Research and Development Trust.* Case No. 2:06-cv-
26 1089, filed December 29, 2006 in the Federal Court for the Southern District of
27 Ohio. The matter was never served and was dismissed.

28 *Bon-Aire v. Sorensen Research and Development Trust.* Case No. 07-cv-054-

1 S, filed January 2007 in the Federal Court for the District of Idaho. The matter was
2 never served and was dismissed.

3 *Husqvarna Outdoor Products, Inc. v. Sorensen Research and Development*
4 *Trust.* CIV. NO. CV106-160 in the Federal Court for the Southern District of
5 Georgia on October 30, 2006. The matter was never served and was dismissed.
6

7 DATED this Monday, September 15, 2008.
8

9 JENS ERIK SORENSEN, as Trustee of
10 SORENSEN RESEARCH AND DEVELOPMENT
11 TRUST, Plaintiff

12 /s/ Melody A. Kramer

13 J. Michael Kaler, Esq.

14 Melody A. Kramer, Esq.

15 Attorney for Plaintiff
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PROOF OF SERVICE

I, Melody A. Kramer, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121.

On Monday, September 15, 2008, I served the following documents:

THIRD AMENDED NOTICE OF RELATED CASES

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Thomas W. Ferrell tferrell@higgslaw.com Higgs, Fletcher & Mack LLP 401 West "A" Street, Suite 2600 San Diego, CA 92101-7913	Global Machinery Company; GMCA Pty. Ltd; Trapone Corporation Pty Ltd.	Email - Pleadings Filed with the Court via ECF
Mark G. Kachigian mkachigian@hjkllaw.com Cassandra L. Wilkinson cwilkinson@hjkllaw.com Head, Johnson & Kachigian, PC 228 West 17th Place Tulsa, Oklahoma 74119	Global Machinery Company; GMCA Pty. Ltd; Trapone Corporation Pty Ltd.	Email - Pleadings Filed with the Court via ECF
Callie A. Bjurstrom cbjurstrom@luce.com Luce, Forward, Hamilton & Scripps 600 West Broadway, Suite 2600 San Diego, CA 92101	Global Machinery Company; GMCA Pty. Ltd; Trapone Corporation Pty Ltd.	Email - Pleadings Filed with the Court via ECF

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by

1 facsimile machine to the above noted addressees. The facsimile transmissions were reported as
2 complete and without error.

3 ☐ (Email) I emailed a true copy of the foregoing documents to an email address
4 represented to be the correct email address for the above noted addressee.

5 ☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed
6 this document via the CM/ECF system for the United States District Court for the
7 Southern District of California.

8 ☐ (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address
9 represented to be the correct mail address for the above noted addressee.

10 I declare that the foregoing is true and correct, and that this declaration was executed on
11 Monday, September 15, 2008, in San Diego, California.

12 /s/ Melody A. Kramer

13 _____
Melody A. Kramer